

Application No.: 10/777,562
Response dated: June 22, 2007
Reply to Office Action March 5, 2007

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REMARKS

Reconsideration of the present claims, in light of the attached claim clarifications and the Remarks, which follow, is respectfully requested.

Claims 1-15 are before the Examiner. Claims 1-15 are based on claims 1-15 of the issued patent.

The numbering in this Response will follow that of the Examiner's Action.

1. - 4. No response necessary

Non-Compliance

5. The Examiner states that the amendment filed July 28, 2006 proposes amendments that do not comply with 37 CFR 1.173(b). Applicants respectfully note that no claim amendments were made in the July 28, 2006 amendment. Reviewing earlier Office Actions, no such statement was made earlier by the Examiner. In a conversation with the Examiner May 10, 2007, the Examiner stated that in each and every response by Applicants, Applicants must show all cumulative claim amendments to the claims from the patented claims. Applicants have complied with this requirement.

6. Defective Oath/Declaration

The reissue Oath/Declaration is said to be defective, because it failed to identify at least one error which is relied upon to support the reissue application. Applicants Declaration filed July 28, 2006 had detail as to where in the cited document the Anticipatory material could be found. Applicants ask respectfully for specific guidance on this matter.

Secondly, the Declaration is being resubmitted contemporaneous with this paper with the Correct reference number noted (a digit was dropped in the earlier Declaration).

7. The Application is held to be lacking the written consent of the assignees owning an undivided interest in the patent. Applicants attach as Appendix I the original Written consent, filed February 12, 2004, and printed off of Public Pair ("Statement Under 37 CFR § 3.73(b)"). If this document is somehow held lacking some part, Applicants respectfully urge the Examiner to be specific in pointing out any deficiency.

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8. Claims 1-15 are held to be broadened. The claims have been restored to the original verbiage to keep the modifier "bulky ligand" to the term "metallocene-type catalyst".

9. Claims 1-15 are held to be broadened. There is no specificity to this holding. Absent any specificity, Applicants are unable to make amendments. During the aforementioned conversation with the Examiner, the Examiner stated that this paragraph was probably cumulative with paragraph 8.

10. Claims 1-15 are Rejected as based on a defective reissue oath/declaration. Here again in the absence of specifics, Applicants believe this to be a cumulative paragraph to paragraph 7. If this is in error, Applicants respectfully request specifics so that appropriate correction may be made.

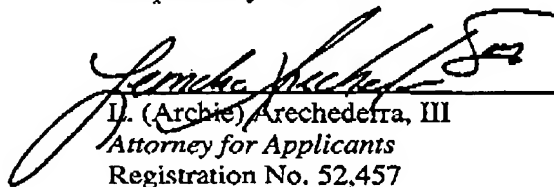
11. No response necessary.

The claims are in condition for allowance.

Applicants respectfully solicit a prompt notice of allowability. In the alternative, Applicants invite the Office to telephone the undersigned attorney if there are any other issues outstanding which have not been presented to the Office's satisfaction.

Respectfully submitted,

June 22, 2007
Date


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